

**UNITED STATES DISTRICT COURT  
EASTERN DISTRICT OF MISSOURI  
EASTERN DIVISION**

RICKY DURHAM,

Petitioner,

v.

WARDEN C. NASH,

Respondent.

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No. 4:18-CV-1613 JCH

**MEMORANDUM AND ORDER**

Movant appeals the Court's Order denying and dismissing as successive, his application for writ of habeas corpus brought pursuant to 28 U.S.C. § 2254. Petitioner filed a motion to proceed in forma pauperis at the direction of the Court of Appeals on January 23, 2019. After review of petitioner's income status, the Court will grant his request to proceed as a pauper on appeal.

Accordingly,

**IT IS HEREBY ORDERED** that petitioner's motion to proceed in forma pauperis on appeal [Doc. #16] is **GRANTED**.

**IT IS FURTHER ORDERED** that no certificate of appealability shall be issued.

Dated this 25th day of January, 2019.

\s\ Jean C. Hamilton  
JEAN C. HAMILTON  
UNITED STATES DISTRICT JUDGE